

Order

Michigan Supreme Court
Lansing, Michigan

November 8, 2006

127715(64)(65)

ANN COBLENTZ, LEE COBLENTZ, JOHN
LEWANDOWSKI and DEBORAH
LEWANDOWSKI,
Plaintiffs-Appellants,

v

CITY OF NOVI,
Defendant-Appellee.

Clifford W. Taylor,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

SC: 127715
COA: 255359
Oakland CC: 03-046760-CZ

On order of the Court, the motion for extension of time is GRANTED. The motion for review of taxation of costs pursuant to MCR 7.318 and MCR 7.219(E) is DENIED because taxation of the plaintiffs' costs in this case was appropriate. See MCL 600.2445(2). We further conclude that the defendant's motion for review of taxation of costs constitutes a vexatious proceeding under MCR 7.316(D)(1), and we ORDER the defendant to pay to the plaintiffs their actual damages attributable to responding to the motion in this Court. We REMAND this case to the Oakland Circuit Court for calculation of the amount of damages and entry of an appropriate order.

We do not retain jurisdiction.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 8, 2006

Corbin R. Davis

Clerk